IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

Writ Petition No. 1488 of 2005

Shri Ramdas Krishna Deore ..Petitioner

vs.

1. Executive Engineer & Ors. ...Respondents

Smt.Deepa Natwankar with Shri Jaideep Pawar for petitioner.
Shri R.V.More for respondent no.2
Shri P.M.Patil, A.G.P. for respondent nos. 4 and 5.

CORAM: A.P.SHAH
& Dr.D.Y.CHANDRACHUD JJ.
8th August, 2005.

P.C.

. Heard Advocates.

2. The petitioner who was appointed as a muster assistant in 1984 was absorbed in service in terms of Govt.Resolution dated 1st December, 1995. The said Govt.Resolution was issued pursuant to the order passed by the Supreme Court whereby the muster assistants were absorbed in class IV service subject to the terms and conditions mentioned therein. It appears that the muster assistants have been finally absorbed in service of various Zilla Parishads in terms of the aforesaid Govt.Resolution. The Govt.Resolution, clearly stipulates that the muster assistants shall not be treated as government servants and their age of

retirement shall be 58 years instead of 60 years. Under the circumstances, it is not open for the petitioner to claim parity with class IV Govt. servants as far as age of retirement is concerned. The Govt.Resolution specifically prescribed the age of retirement as 58 years and after attaining the age of 58 years, the petitioner has been superannuated from service. The petition is thus devoid of any substance and hence dismissed.